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PTO/SB/08B (07-05)
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Substitute for form 1449/PTO				Complete if Known		
Subsume to that teese to				Application Number	10/665,516	
INF	ORMATION	DIS	CLOSURE	Filing Date	September 22, 2003	
STA	STATEMENT BY APPLICANT			First Named Inventor	Stamm	
	Alexan many she	- <b>t-</b>		Art Unit	1615	
(Use as many sheets as necessary)				Examiner Name	Sheikh	
Sheet	1	of	9	Attorney Docket Number	2346/8	

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
		Laboratoires Fournier undated document entitled "Fenofibrate Tablets 54-160 mg Dissolution Test Conditions Development Studies, Dissolution Test Specification Recommendations"	
9/3	2	"Second Amended Answer, Affirmative Defenses, and Counterclaims" filed by Teva on 7-29-2005 in Abbott Laboratories et al v. Teva Pharmaceuticals USA, Inc. DE, CA No. 02-1512.	
	3	"First Amended Counterclaims" filed by Impax on 9-23-2005 in Abbott Laboratories et al v. Impax Laboratories, Inc., Delaware, CA No. 03-120-KAJ.	
	4	"Amended Complaint" filed by CVS Pharmacy et al on 9-23-2005 in In Re TriCor Direct Purchaser Antitrust Litigation, Delaware, CA No. 05-340.	
	5	"Amended Complaint" filed by Walgreen Co. et al on 9-23-2005 in In Re TriCor Direct Purchaser Antitrust Litigation, Delaware, CA No. 05-340.	
	6	"Amended Complaint" filed by Painters' District Council No. 30 et al on 9-23-2005 in In Re TriCor Direct Purchaser Antitrust Litigation, Delaware, CA No. 05-340.	
	7	"Amended Complaint" filed by Louisiana Wholesale Drug Co. et al on 10-3-2005 in In Re TriCor Direct Purchaser Antitrust Litigation, Delaware, CA No. 05-340.	
	8	"Defendant's Responses to Plaintiffs Interrogatories" filed by Impax on 8-6-2003 in Abbott Laboratories et al v. Impax Laboratories, Inc., Delaware, CA No. 03-120-KAJ.	
	9	"Amended Answer" filed by Impax on 1-4-2005 in Abbott Laboratories et al v. Impax Laboratories, Inc., Delaware, CA No. 03-120-KAJ.	
9/8	10	"Reply Memorandum" filed by Impax on 2-25-2005 in Abbott Laboratories et al v. Impax Laboratories, Inc., Delaware, CA No. 03-120-KAJ.	

Examiner Signature	Junura M. Melal	Date Considered	7-17-06

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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Complete if Known				
Application Number	10/665,516			
Filing Date	September 22, 2003			
First Named Inventor	Stamm			
Art Unit	1615			
Examiner Name	Sheikh			
Attorney Docket Number	224618			

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98	11	"Memorandum Opinion" by District Judge Jordan dated 5-6-2005 in Abbott Laboratories et al v. Impax Laboratories, Inc., Delaware, CA No. 03-120-KAJ.	
1 -	12	"Opening Brief in Support of Motion for Summary Judgment" by Teva filed on 12-23-2004 in Abbott Laboratories et al v. Teva Pharmaceuticals USA, Inc., Delaware, CA No. 02-1512.	
	13	"Opening Brief in Support of Motion for Summary Judgment" by Teva filed on 12-10-2004 in Abbott Laboratories et al v. Teva Pharmaceuticals USA, Inc., Delaware, CA No. 02-1512.	
	14	"Memorandum Opinion" by District Judge Jordan dated 5-6-2005 in Abbott Laboratories et al v. Teva Pharmaceuticals USA, Inc., Delaware, CA No. 02-1512.	
	15	Opposition to European Patent No. 1 273 293 filed 9-2-2005 by Ethypharm (French Language Docuement).	
	16	Opposition to Israel Patent No. 130790 filed 5-4-2005 by Teva; and Remarks in Response to Oppostion filed on 9-23-2005 (English language translations).	1
	17	Munoz et al, Atherosclerosis, 110(Suppl.):S45-S48 (1994).	
	18	Pharmaceutical Pelletization Technology, Marcel Dekker, Inc., Volume 37, pages 1-13; 160-161; and 234-235 (1989).	
	19	Modern Pharmaceutics, Third Edition, Marcel Dekker, Inc., apges 131-133 and 335-356 (1996).	
gd	20	Pharmaceutical Dosage Forms, Tablets, Second Edition, Marcel Dekker, Inc., pages 5-28; 88-107; 133; 142; 160-165; and 260-267 (1989).	

Examiner Signature	Qumera	n. Orelale	Date Considered	07-17-06

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Substitute for form 1449/PTC			Complete If Known		
SUBSUINE for form 1443/P10	,		Application Number	10/665,516	
INFORMATIO	N DIS	CLOSURE	Filing Date	September 22, 2003	
STATEMENT BY APPLICANT			First Named Inventor	Stamm	
<b>7</b>			Art Unit	1615	
(Uso as many s	ineets as i	iecessary)	Examiner Name	Sheikh	
Sheet 3	of	9	Attorney Docket Number	224618	

Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue	T <sup>2</sup>
		number(s), publisher, city and/or country where published. Shepherd Atherosclerosis, 110(Suppl.)S55-S63 (1994).	
gls_	21	Onephora / tareresens respensive esta ( vee )	
	22	Adkins et al, Drugs, 54(4):615-633 (October 1997).	
	23	Letter from Teva/Novopharm to Fournier Pharma Inc. regarding Invalidity and Ambiguity of Canadian Patent Nos. 2,219,475 and 2,372,576 (pages 1-15)(September 19, 2005).	
	24	Declaration under 37 CFR 1.132 by Phillippe Reginault filed in US Application No. 10/288,425 on March 7, 2005.	
	25	Pharmaceutical Pelletization Technology, Ghebre-Sallassie, Ed., Marcel Dekker, Inc., New York, Chapters 7 and 10 (1989).	
	26	Handbook of Pharmaceutical Excipients, 2nd Ed., pages 48-87, 141-144, 229-232, 252-261, 280-282, 392-401, 424-427, 448-450, 462-469, 491-493 (1994).	
	27	Remington's Pharmaceutical Sciences, 18th Ed., pages 1633-1665 (1985).	
	28	European Pharmacopoeia, 3rd Ed., pages xiii-xvii and 127-131 (1996).	
	29	The United States Pharmacopoeia, Vol. 23, pages liv-lvi, 1791-1793, 1924-1938 (1994).	
Q/3	30	CRC Handbook of Chemistry & Physics, 73rd Ed., Chapter 15, page 32 (1992).	

Examiner Signature	Quincera	M. PreElle	Date Considered	07-17-06

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Complete if Known Substitute for form 1449/PTO **Application Number** 665, 516 INFORMATION DISCLOSURE Filing Date September 22, 2003 STATEMENT BY APPLICANT First Named Inventor Stamm Art Unit 1615 (Use as many sheets as necessary) **Examiner Name** Sheikh Attorney Docket Number 19 of

Examiner	Cite	NON PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of	
examiner Initials*	No.1	the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	·T <sup>2</sup>
9/8	31	Suzuki et al, Chem. Pharm. Bull., 49(4):373-378 (2001).	
	32	Shah et al, International Journal of Pharmaceutics, 125:99-106 (1995).	
	33	Giunchedi et al, International Journal of Pharmaceutics, 130:41-47 (1996).	
	34	Sangalli et al, Boll. Chim. Farmaceutico, 128(7-8):242-247 (1989).	
	35	Kuchiki et al, "Stable Solid Dispersion System Against Humidity," Yakuzaigaku, 44(1):31-37 (1984).	
	36	Guichard et al, "A New Formulation of Fenofibrate: Suprabioavailable Tablets," Current Medical Research and Opinion, 16(2):134-138 (2000).	
	37	Boullay, "Microgrinding and Dissolution," S.T.P. Pharma, 1(4):296-299 (1985). (French-language document and English language translation).	1
	38	International Dictionary of Medicine and Biology, Volume 2, page 1774, John Wiley & Sons, Inc. (1986).	
	39	Opposition to EP 952 829 by Winthrop Arzneimitel GmbH filed March 31, 2005.	
$\alpha \dot{\delta}$	40	Opposition to EP 952 829 by Laboratoires SMB SA filed April 11, 2005.	

Examiner Signature	Qunera	1. Precho	Date Considered	07-17-06
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Subsub	18 10r 10mm 1445/P1O			Application Number	10	665,516
INF	ORMATION	DIS	CLOSURE	Filing Date	September 22, 2003	
STA	STATEMENT BY APPLICANT			First Named Inventor	Stamm	
				Art Unit	1615	
	(Use as many sheets as necessary)		Examiner Name	Sheikh		
Sheet	5	of	9	Attorney Docket Number	Q	124618

<u> </u>		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	, T²
9/8	41	Papers filed on April 15, 2005, by Ethypharm in Response to Patent Proprietor's Statement of Opposition to EP 952 829.	
als	42	Opposition to EP 0 952 829 by Ethypharm filed December 11, 2003.	1
9/3	43	Handbook of Pharmaceutical Excipients, Second Edition, pages 392-399 (1994).	
9/3	44	Complaint, US District Court for the District of Delaware, Civil Action No. 04-350, Reliant Pharmaceuticals v. Abbott Laboratories et al (June 1, 2004).	
9/8		Declaration under 37 CFR 1.132 by Pascale Bloquin filed in US Application No. 09/899,026 on March 7, 2005.	
		Laboratoires Fournier's Lab Notebook No. 1 (attached as Exhibit 1 (French) and Exhibit 3 (English translation) to the 132 Declaration by Bloquin).	7
		Laboratoires Fournier's Lab Notebook No. 2 (attaches as Exhibit 2 (French) and Exhibit 4 (English translation) to the 132 Declaration by Bloquin). At DATE	1

Examiner Signature	alimera M. Phillip	Date Considered	07-17-06

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			Application Number	10/665.516		
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		(Use as many she	ets e	necessary)	Examiner Name	Sheikh
	heet	16	of	9	Attorney Docket Number	224618

Examiner	Cite No.1	Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where
nitials"	No.1	Number-Kind Code <sup>2 (F known)</sup>	MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear
all		<sup>US-</sup> 6,027,747	02-22-2000	Terracol et al	
7		<sup>US-</sup> 5,633,015	05-27-1997	Gillis et al	·
		<sup>US-</sup> 5,145,684	09-08-1992	Liversidge et al	
		<sup>US-</sup> 4,629,624	12-16-1986	Grouiller et al	
_		<sup>US-</sup> 4,344,934	08-17-1982	Martin et al	
		US- 2005/0032878 A1	02-10-2005	Deboeck et al	
		US- 4,961,890	10-09-1990	Boyer	
		<sup>US-</sup> 6,159,499	12-12-2000	Seth	
		<sup>US-</sup> 6,207,198	03-27-2001	Seth	
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1	1	<sup>US-</sup> 5,824,341	10-20-1998	Seth et al	·
		<sup>US-</sup> 6,096,341	08-01-2000	Seth	
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		<sup>US-</sup> 6,117,453	09-12-2000	Seth et al	
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1,		US-4,463,743	03-13-1984	Schonafinger et al	
als	1	US- 4,716,033	12-29-1987	Denick, Jr.	

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Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	_
		Country Code <sup>3</sup> "Number <sup>4</sup> "Kind Code <sup>5</sup> (if known)	MM-DD-YYYY		Or Relevant Figures Appear	٣
048		CA 2,142,848	03-17-1994	Janssen Pharmaceuticals		
7		CA 960,670	01-07-1975	Orchimed SA		_
		WO 98/31360	07-23-1998	Pharma Pass		L
		WO 97/12581	04-10-1997	Pharma Pass		
		CA 2,219,475	07-09-2002	Laboratoires Fournier		_
QX8		CA 2,372,576	02-10-2004	Laboratoires Fournier		

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Examiner Signature	Olymora	N. Pretak	Date Considered	07-17-06

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			U. S. PATENT	DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number  Number-Kind Code <sup>2 (f Innove)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
OR		<sup>US-</sup> 4,588,058	12-10-1985	Schonafinger et al	
1		<sup>US-</sup> 4,957,746	09-18-1990	Valducci	
		<sup>US-</sup> 4,806,361	02-21-1989	Harrison et al	
7		<sup>US-</sup> 4,820,521	04-11-1989	Panoz et al	
T		<sup>US-</sup> 4,663,150	05-05-1987	Panoz et al	
		<sup>US-</sup> 2,953,497	09-20-1960	Press	
		<sup>US-</sup> 4,524,060	06-18-1985	Mughal et al	
	·	<sup>US-</sup> 4,721,709	01-26-1988	Seth et al	
		US- 5,073,379	12-17-1991	Klimesch et al	
0/8		<sup>US-</sup> 4,684,516	08-1987	Bhutani	
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		FORE	IGN PATENT DOCU	MENTS		
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- 1		Country Code <sup>3</sup> "Number <sup>4</sup> "Kind Code <sup>3</sup> (If known)	MM-DD-YYYY		Or Relevant Figures Appear	<u> </u>
		WO 96/21439	07-18-1996	Galephar PR Inc.		<u> </u>
1		WO 03/013500	02-20-2003	Laboratoires SMB SA		
		EP 0 012 523	06-25-1980	American Home Products		L
		WO 97/12580	04-10-1997	Pharma Pass		$oldsymbol{ol}}}}}}}}}}}}}}}}}}$
1/0		EP 0 179 583	04-30-1986	Merck & Co.		<u></u>
		EP 0 193 958	09-10-1986	PPG Industries, Inc.		

Examiner Signature Quence M. Prelika Considered 07-17-06

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Substitute for form 1448/PTO	Coi	mplete if Known
	Application Number	16/665,516
INFORMATION DISCLOSURE	Filing Date	September 22, 2003
	First Named Inventor	Stamm
STATEMENT BY APPLICANT	Art Unit	1615
(Use as many sheets as necessary)	Examiner Name	Sheikh
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Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
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0/8		WO 96/04892	02-22-1996	Pharma Pass		
0,		WO 98/31361	07-23-1998	Stamm et al		
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,		EP 0 952 829	03-05-2003	Stamm et al		
		EP 0 761 208	03-12-1997	Duclos et al		

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Examiner Signature	Sunera M. Presto	Date Considered	09-17-06	

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Complete if Known Substitute for form 1449/PTO **Application Number** 665.516 September 22, 2003 Filing Date INFORMATION DISCLOSURE First Named Inventor Stamm STATEMENT BY APPLICANT Art Unit 1615 (Use as many shoots as necessary) Sheikh **Examiner Name Attomey Docket Number** 2246 Sheet 9

			U. S. PATENT D	DCUMENTS	
Examiner Initials*	Cite No.1	'Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant
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2/8		EP 0 122 077	10-17-1984	Elan Corp.		L
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		EP 0 168 360	01-15-1986	Valducci		L
1,		EP 0 239 541	09-30-1987	Wamer-Lambert Co.		
g/s		EP 0 256 933	02-24-1988	Ethypharm		L

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Substitution 1449/PTO

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Sheet 1

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known				
Application Number	10/665,5/6 September 22, 2003			
Filing Date	September 22, 2003			
First Named Inventor	Stamm			
Art Unit	1615			
Examiner Name	Sheikh			
Attorney Docket Mumber	270/2/8	$\overline{}$		

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Examiner Initials*	Cite No.1	Document Number  Number-Kind Code <sup>2</sup> (# known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Complete if Known **Application Number** INFORMATION DISCLOSURE September 22, 2003 Filing Date STATEMENT BY APPLICANT First Named Inventor Stamm Art Unit 1615 (Use as many sheets as necessary) **Examiner Name** Sheikh Attorney Docket Number Sheet 2 of

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
g/8		Opposition to European Patent No. 1 273 293 filed 9-2-2005 by Ethypharm. (English Language Translation)	✓
73		Laboratoires S.M.B. S.A. Report pages 1-4 (undated) (No DATE)	
Q/8		Report from Pr. Rosset entitled "La biodisponibilite du fenofibrate et les polymeres hydrophiles," Pages 1-20 (March 1, 2005)	
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